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PJZM 2555

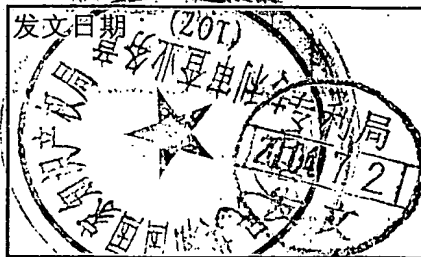
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北京市朝阳区北辰东路 8 号汇宾大厦 A0601

北京市柳沈律师事务所

李晓舒, 陶凤波

申请号: 02105057.0



申请人:

松下电器产业株式会社

发明名称:

电子元件安装装置

第一次审查意见通知书

- ☒ 依申请人提出的实审请求, 根据专利法第 35 条第 1 款的规定, 审查员对上述发明专利申请进行实质审查。
☐ 根据专利法第 35 条第 2 款的规定, 国家知识产权局决定自行对上述发明专利申请进行审查。
- ☒ 申请人要求以其在:

JP 专利局的申请日 2001 年 2 月 15 日 为优先权日,
____ 专利局的申请日 _____ 为优先权日,
____ 专利局的申请日 _____ 为优先权日,
____ 专利局的申请日 _____ 为优先权日,

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- ☒ 申请人已经提交了经原申请国受理机关证明的第一次提出的在先申请文件的副本。
☐ 申请人尚未提交经原申请国受理机关证明的第一次提出的在先申请文件的副本, 根据专利法第 30 条的规定视为未提出优先权要求。
- ☐ 申请人于 ____ 年 ____ 月 ____ 日和 ____ 年 ____ 月 ____ 日提交了修改文件。
经审查, 其中: ____ 年 ____ 月 ____ 日提交的 ____ 不符合实施细则第 51 条的规定;
____ 年 ____ 月 ____ 日提交的 ____ 不符合专利法第 33 条的规定。
- ☒ 审查是针对原始申请文件进行的。
☐ 审查是针对下述申请文件进行的:
说明书 申请日提交的原始申请文件的第 ____ 页;
____ 年 ____ 月 ____ 日提交的第 ____ 页; ____ 年 ____ 月 ____ 日提交的第 ____ 页;
____ 年 ____ 月 ____ 日提交的第 ____ 页; ____ 年 ____ 月 ____ 日提交的第 ____ 页;
权利要求 申请日提交的原始申请文件的第 ____ 项;
____ 年 ____ 月 ____ 日提交的第 ____ 项; ____ 年 ____ 月 ____ 日提交的第 ____ 项;
____ 年 ____ 月 ____ 日提交的第 ____ 项; ____ 年 ____ 月 ____ 日提交的第 ____ 项;
附图 申请日提交的原始申请文件的第 ____ 页;
____ 年 ____ 月 ____ 日提交的第 ____ 页; ____ 年 ____ 月 ____ 日提交的第 ____ 页;
____ 年 ____ 月 ____ 日提交的第 ____ 页; ____ 年 ____ 月 ____ 日提交的第 ____ 页;
说明书摘要 ☐ 申请日提交的; ____ 年 ____ 月 ____ 日提交的;
摘要附图 ☐ 申请日提交的; ____ 年 ____ 月 ____ 日提交的。
- ☐ 本通知书是在未进行检索的情况下作出的。
☒ 本通知书是在进行了检索的情况下作出的。
☒ 本通知书引用下述对比文献(其编号在今后的审查过程中继续沿用):



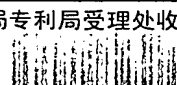
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(本通知书及对比文献不随附个人意见审查报告)





中华人民共和国国家知识产权局

编号	文件号或名称	公开日期 (或抵触申请的申请日)
1	US4866838A	1989-09-19
2	CN1241834A	2000-01-19
3		
4		

6. 审查的结论性意见:

☐ 关于说明书:

- ☐ 申请的内容属于专利法第 5 条规定的不授予专利权的范围。
- ☐ 说明书不符合专利法第 26 条第 3 款的规定。
- ☐ 说明书不符合专利法第 33 条的规定。
- ☐ 说明书的撰写不符合实施细则第 18 条的规定。

☒ 关于权利要求书:

- ☐ 权利要求____不具备专利法第 22 条第 2 款规定的新颖性。
- ☒ 权利要求 1-15 不具备专利法第 22 条第 3 款规定的创造性。
- ☐ 权利要求____不具备专利法第 22 条第 4 款规定的实用性。
- ☐ 权利要求____属于专利法第 25 条规定的不授予专利权的范围。
- ☐ 权利要求____不符合专利法第 26 条第 4 款的规定。
- ☐ 权利要求____不符合专利法第 31 条第 1 款的规定。
- ☐ 权利要求____不符合专利法第 33 条的规定。
- ☐ 权利要求____不符合实施细则第 2 条第 1 款关于发明的定义。
- ☐ 权利要求____不符合实施细则第 13 条第 1 款的规定。
- ☐ 权利要求____不符合实施细则第 20 条至第 23 条的规定。

上述结论性意见的具体分析见本通知书的正文部分。

7. 基于上述结论性意见, 审查员认为:

- ☐ 申请人应按照通知书正文部分提出的要求, 对申请文件进行修改。
- ☐ 申请人应在意见陈述书中论述其专利申请可以被授予专利权的理由, 并对通知书正文部分中指出的不符合规定之处进行修改, 否则将不能授予专利权。
- ☒ 专利申请中没有可以被授予专利权的实质性内容, 如果申请人没有陈述理由或者陈述理由不充分, 其申请将被驳回。
- ☐

8. 申请人应注意下述事项:

- 根据专利法第 37 条的规定, 申请人应在收到本通知书之日起的 肆 个月内陈述意见, 如果申请人无正当理由逾期不答复, 其申请将被视为撤回。
- 申请人对其申请的修改应符合专利法第 33 条的规定, 修改文本应一式两份, 其格式应符合审查指南的有关规定。
- 申请人的意见陈述书和/或修改文本应邮寄或递交给国家知识产权局专利局受理处, 凡未邮寄或递交给受理处的文件不具备法律效力。
- 未经预约, 申请人和/或代理人不得前来国家知识产权局专利局与审查员举行会晤。

9. 本通知书正文部分共有 4 页, 并附有下列附件:

- ☒ 引用的对比文件的复印件共 2 份 25 页。 ☐

审查 3 部 6 室

审查员签章: 3619



完成日期: 2004-06-07

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TEXT OF THE FIRST OFFICE ACTION

As stated in the description, the present application relates to an electronic component mounting apparatus. After examination, the opinions are now provided as follows.

1. Claim 1 claims to protect an electronic component mounting apparatus. However, reference 1 (US4866838A), which belongs to the same technical field, discloses an integrated circuit chip insertion and removal tool, wherein the following technical features are recorded in detail (see column 2, line 56 to column 4, line 3 of the description in particular): the tool comprises a rotary means; a component catching section (equivalent to the component mounting section) rotatably provided with said rotary means, positioning an IC chip on a circuit board, driven in an axial direction of said rotary means, and mounting the chip; a drive means for driving said component catching section in the axial direction; a coupling shaft for coupling said drive means with said component catching section; an upper block (equivalent to the motor) disposed in the axial direction of said rotary means and including a rotatable shaft as a rotor; wherein said rotatable shaft is coupled with said rotary means, is driven and rotated integrally with said rotary means by said upper block, and changes the direction in which said chip is mounted by said component catching section.

The only difference between claim 1 and reference 1 is that said rotary shaft and said motor are hollow. However, the technical feature is conventional means in the prior art and thus belongs to common knowledge. It is obvious for those skilled in the art to obtain the technical solution sought for protection in claim 1 on the basis of reference 1 in combination with the above common knowledge. Thus, the technical solution sought for protection in claim 1 does not possess any prominent substantive feature or represent any notable progress. Accordingly, claim 1 does not possess inventiveness prescribed in Article 22, paragraph 3 of the Patent Law of China.

2. The additional technical feature “comprising an electronic component provided in said rotary body” of claim 2 has also been disclosed in reference 1 (see column 3, lines 15-22 of the description in particular). In order to fix said electronic component, arranging a wire extending from said electronic component, fixing said wire to said rotary body with an end of said wire and pulling out said wire from said hollow rotary shaft in an axial direction of said hollow rotary shaft is a conventional method adopted by those skilled in the art when fixing an electronic component. Thus, it is obvious for those skilled in the art to obtain the technical solution sought for protection in claim 2 on the basis of reference 1 in combination with the above common knowledge. Thus, the technical solution sought for protection in claim 2 does not possess any prominent substantive feature or represent any notable progress. Accordingly, claim 2 does not possess inventiveness prescribed in Article 22, paragraph 3 of the Patent Law of China.

3. The additional technical features “said wire is formed into a spiral and loosely

arranged in said hollow rotary shaft” and “an inner surface of said hollow rotary shaft and a surface of said coupling shaft are coated with protective materials” of claims 3-7 are conventional methods to give the wire a larger space for action and protect the surface of the shaft in the prior art, thus belonging to common knowledge in the present technical field. Therefore, claims 3-7 do not possess inventiveness prescribed in Article 22, paragraph 3 of the Patent Law of China when the claims referred to do not possess inventiveness.

4. Claim 8 further defines said coupling shaft on the basis of claim 1. However, the technical features stated in claim 8 have been disclosed in reference 2 (CN1241834A). Reference 2, which belongs to a similar technical field, discloses a disk rotating mechanism, wherein (see page 4, lines 14-22 of the description in particular) the coupling shaft is provided with a ring-like attracting magnet (equivalent to the rotary plate) rotatable with said shaft, an annular yoke (equivalent to the guide groove) formed around said attracting magnet, and a case body (equivalent to the bearing member) whose ends are bent and which is coupled with said driver. Moreover, the same function is achieved in reference 2. Thus, it is obvious for those skilled in the art to obtain the technical solution sought for protection in claim 8 based on reference 1 and the common knowledge in combination with the technical features disclosed in reference 2, which does not produce any unexpected technical effects. Therefore, claim 8 does not possess any prominent substantive feature or represent any notable progress and does not possess inventiveness prescribed in Article 22, paragraph 3 of the Patent Law of China.

5. The additional technical features of claim 9 have also been disclosed in reference 1 (see column 3, lines 28-56 of the description in particular): said coupling shaft is provided with a plate-shaped chip (equivalent to the fitting member) at an lower end, said plate-shaped chip is coupled with said catching section through a groove (equivalent to the fitting groove) and fixed to said coupling shaft, said component catching section is provided in said motor and is movable in the axial direction. Therefore, claim 9 does not possess inventiveness prescribed in Article 22, paragraph 3 of the Patent Law of China when claim 1 which it refers to does not possess inventiveness.

6. The additional technical feature of claim 10 has also been disclosed in reference 2. Therefore, claim 10 does not possess inventiveness prescribed in Article 22, paragraph 3 of the Patent Law of China when claim 2 which it refers to does not possess inventiveness.

7. The additional technical features of claim 11 have also been disclosed in reference 21. Therefore, claim 11 does not possess inventiveness prescribed in Article 22, paragraph 3 of the Patent Law of China when claim 2 which it refers to does not possess inventiveness.

8. The additional technical features of claims 12 and 13 are that said protective material is made of Teflon and comprises a plurality of bearings. However, said technical features are conventional methods in the prior art when using a protective material and obvious to those skilled in the art. Therefore, claims 12 and 13 do not possess inventiveness prescribed in Article 22, paragraph 3 of the Patent Law of China when claim 5 which they refer to does not possess inventiveness.

9. The additional technical feature of claim 14 is that "said coupling member comprises balls inserted into a space between said guide groove and said bearing member". However, said technical feature has also been disclosed in reference 2 (see page 6, lines 3-5 and Fig. 3 of the description in particular). Therefore, claim 14 does not possess inventiveness prescribed in Article 22, paragraph 3 of the Patent Law of China when claim 8 which it refers to does not possess inventiveness.

10. The additional technical feature of claim 15 is that "said coupling member comprises balls inserted into a space between said guide groove and said bearing member". However, said technical feature has also been disclosed in reference 2 (see page 6, lines 3-5 and Fig. 3 of the description in particular). Therefore, claim 15 does not possess inventiveness prescribed in Article 22, paragraph 3 of the Patent Law of China when claim 10 which it refers to does not possess inventiveness.

Based on the reasons mentioned above, neither the independent claim nor the dependent claims of the present application possess inventiveness, and at the same time the description does not disclose any other substantive content that is entitled to a patent right. Therefore, even if the applicant re-arranges and/or further defines the claims in accordance with the disclosure of the description, the present application does not have the prospect of being granted a patent right. If the applicant fails to, within the time limit for making response specified in the present office action, state sufficient reasons indicating the present application possesses inventiveness, the present application shall be rejected.

Examiner: Zhao Yan

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